

UNREDACTED VERSION
OF EXHIBIT 22 SOUGHT
TO BE FILED UNDER
SEAL

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

WAYMO LLC,)
Plaintiff,)
vs.) Case No.
UBER TECHNOLOGIES, INC.;) 3:17-cv-000939-WHA
OTTOMOTTO LLC; OTTO TRUCKING,)
INC.,)
Defendants.)

-----)
HIGHLY CONFIDENTIAL - ATTORNEYS' EYES ONLY

VIDEOTAPED DEPOSITION OF KRISTINN GUDJONSSON
Palo Alto, California
Friday, July 28, 2017
Volume I

Reported by:
CARLA SOARES
CSR No. 5908
JOB No. 2665814

PAGES 1 - 242

Page 1

1 BY MR. TAKASHIMA: 11:13:08

2 Q Do you understand that what used to be
3 Project Chauffeur has become Waymo?

4 A Yes.

5 Q If I use the term "Waymo," will you 11:13:13
6 understand that to include Project Chauffeur before?

7 A Yes.

8 MR. BAKER: Let me just clarify, also,
9 Counsel, for the record, that my previous objections
10 were attorney-client privilege and work product. 11:13:22

11 MR. TAKASHIMA: Thank you.

12 Q Was the investigation of Anthony
13 Levandowski the first investigation you were
14 involved in that concerned a former Waymo employee?

15 MR. BAKER: You can answer that yes or no. 11:13:52

16 THE WITNESS: Yes.

17 BY MR. TAKASHIMA:

18 Q Are you aware of any investigations of
19 former Waymo employees prior to the investigation of

20 Mr. Levandowski? 11:14:08

21 MR. BAKER: You can answer that yes or no.

22 THE WITNESS: No.

23 BY MR. TAKASHIMA:

24 Q What was your first involvement in the
25 investigation of Anthony Levandowski? 11:14:22

1 log source. 14:54:57

2 Do you see that?

3 A Yes.

4 Q What does that mean?

5 A It means that we have a lot of different 14:54:59

6 things that report back into [REDACTED] This is our

7 inventory system that we use to maintain our

8 inventory and, among other things, to have [REDACTED]

9 use to authenticate machines.

10 There are various different sources that 14:55:17

11 contribute to [REDACTED] Like [REDACTED]

12 will send information there, and so on.

13 Q What other systems report in to [REDACTED]

14 A Depending on operating system.

15 Q For a Linux system, what other programs 14:55:33

16 report back into [REDACTED]

17 A For Linux, it would be -- we get

18 information from [REDACTED]

19 [REDACTED] we get information from [REDACTED] we get

20 information from [REDACTED] 14:55:48

21 as well; we get information from the [REDACTED]

22 [REDACTED]

23 [REDACTED] And so it depends on systems as well.

24 Q For Windows systems, what programs or

25 systems -- 14:56:09

1 A That would be the same, except I do 14:56:10
2 believe [REDACTED] reports back, I think. I'm not sure.
3 [REDACTED] is another system that runs on Windows
4 systems that gives certain information out to other
5 systems. 14:56:25
6 Q What information does [REDACTED] report
7 back?
8 A I would have to look it up.
9 Q What does [REDACTED] do?
10 A [REDACTED] is the system that we used to 14:56:43
11 register all the systems in. So that would be,
12 like, hardware, serial number of hard drives, asset
13 tag, history of the machine as in, you know, which
14 users was it assigned to at what time, who accepted
15 it from Tech Stop when it was returned back, and the 14:57:02
16 history of the machine.
17 Q Is the idea behind [REDACTED] that it collects
18 all information Google has that's tied to a specific
19 machine?
20 A Not necessarily all, but all the pertinent 14:57:20
21 that they need for [REDACTED]
22 [REDACTED]
23 Q And is that typically examined during
24 forensic investigations?
25 A Yes. 14:57:33

1 Q Why? 14:57:33

2 A First of all, it's the inventory system.

3 So if -- well, depending on what we're looking at,

4 depending on cases.

5 If you're looking at a particular user, we 14:57:44

6 want to know which machines that user had assigned

7 to them, [REDACTED] will be the first stop.

8 Q Any other reasons you would look at [REDACTED]

9 data?

10 A Yes. 14:57:59

11 Q What are those reasons?

12 A Depending on operating system, depending

13 on case.

14 Q It would vary?

15 A Yes. 14:58:08

16 Q Who at Google was responsible for

17 maintaining the [REDACTED] system?

18 A The [REDACTED] team.

19 Q Very logical.

20 Moving down to paragraph 10, there's a 14:58:25

21 reference to [REDACTED]

22 A Yes.

23 Q What is [REDACTED]

24 A [REDACTED] that we

25 have. [REDACTED] 14:58:33

1

[REDACTED]

14:58:43

2

[REDACTED]

3

[REDACTED]

4

Q So Mr. Brown's declaration says that [REDACTED]

5

[REDACTED]

14:59:08

6

[REDACTED]

7

Is that the -- can you explain what that

8

means?

9

A So I forgot where exactly it fetches that

10

information.

14:59:24

11

[REDACTED]

12

[REDACTED]

13

[REDACTED]

14

[REDACTED]

15

[REDACTED]

14:59:38

16

[REDACTED]

17

[REDACTED]

18

[REDACTED]

19

[REDACTED]

20

[REDACTED]

14:59:54

21

[REDACTED]

22

[REDACTED]

23

[REDACTED]

24

[REDACTED]

25

[REDACTED]

15:00:06

1 [REDACTED] I'm not sure. 15:00:09

2 Q Okay. Immediately before that test period

3 it's talking about, it says, "In addition to its

4 live forensic capabilities."

5 Do you see that? 15:00:24

6 A Yes.

7 Q What are [REDACTED] live forensic capabilities?

8 A They vary.

9 Q Can you explain them?

10 [REDACTED] 15:00:34

11 [REDACTED]

12 [REDACTED]

13 [REDACTED]

14 [REDACTED]

15 [REDACTED] 15:00:52

16 [REDACTED]

17 [REDACTED]

18 [REDACTED]

19 [REDACTED]

20 [REDACTED] 15:01:09

21 [REDACTED]

22 [REDACTED]

23 [REDACTED]

24 [REDACTED]

25 [REDACTED] 15:01:21

1

[REDACTED]

15:01:24

2

[REDACTED]

3

[REDACTED]

4

[REDACTED]

5

[REDACTED]

15:01:39

6

[REDACTED]

7

[REDACTED]

8

[REDACTED]

9

[REDACTED]

10

[REDACTED]

15:01:54

11

[REDACTED]

12

[REDACTED]

13

[REDACTED]

14

[REDACTED]

15

Q Is information from [REDACTED] collected in a

15:02:10

16

central repository?

17

A Yes.

18

Q What information gets logged from [REDACTED]

19

A What information? Quite a bit.

20

Q Can you give me examples?

15:02:24

21

[REDACTED]

22

[REDACTED]

23

[REDACTED]

24

[REDACTED]

25

[REDACTED]

15:02:46

1 [REDACTED] 15:02:51
2 [REDACTED]
3 [REDACTED] [REDACTED]
4 [REDACTED]
5 [REDACTED] 15:03:03
6 [REDACTED]
7 [REDACTED]
8 [REDACTED]
9 [REDACTED]
10 [REDACTED] 15:03:20
11 [REDACTED]
12 [REDACTED]
13 [REDACTED]
14 Q Is [REDACTED] specific to Linux?
15 A No. 15:03:35
16 Q So [REDACTED] is on both Linux and Windows
17 devices?
18 A And Macs, yes.
19 [REDACTED]
20 [REDACTED] 15:03:44
21 [REDACTED]
22 [REDACTED]
23 Q How far back does the central repository
24 maintain information from [REDACTED]
25 A I'm not sure. 15:04:05

1 today, you are not aware of any evidence that
2 Mr. Levandowski copied files off the computer before
3 it was reimaged?

15:29:57

4 MR. BAKER: Objection to form.

5 THE WITNESS: I can only tell you what's 15:30:06
6 in the declaration here, what we see here.

7 BY MR. TAKASHIMA:

8 Q To your knowledge, has there been any
9 investigation of Mr. Levandowski's e-mail account at
10 Google? 15:30:53

11 A I'm not sure.

12 Q To your knowledge, has anybody connected
13 with an investigation reviewed the contents of
14 Mr. Levandowski's e-mail account at Google?

| | | |
|----|-----------------|----------|
| 15 | A I'm not sure. | 15:31:05 |
|----|-----------------|----------|

| | |
|----|-------------------|
| 16 | O Who would know? |
|----|-------------------|

| | |
|----|------------|
| 17 | A Lawyers. |
|----|------------|

18 Q Would anybody else in digital forensics
19 know?

| | | |
|----|---|----------|
| 20 | A Potentially, but probably not. It | 15:31:22 |
| 21 | probably would have been me if that check was made. | |

22 Q Have you conducted -- been involved in any
23 review of Mr. Levandowski's workstation from Google?

| | | |
|----|---|----------------------|
| 24 | A | The workstation, no. |
|----|---|----------------------|

| | | | |
|----|---|---|----------|
| 25 | Q | Has anybody else from digital forensics | 15:31:42 |
|----|---|---|----------|

1 conducted that investigation? 15:31:44

2 A No.

3 Q Has anybody looked at Mr. Levandowski's
4 workstation?

5 A Not to my knowledge. 15:31:49

6 Q Has the workstation been preserved?

7 A Not to my knowledge.

8 Q Okay. Has it been deleted?

9 A I'm not sure. I would have to go check.

10 Q Did you ever discuss with anybody 15:32:07
11 investigating Mr. Levandowski's workstation?

12 MR. BAKER: Again, I just want to caution
13 the witness not to disclose any communications that
14 he's had with attorneys.

15 If you have a question, we can go outside. 15:32:22

16 MR. TAKASHIMA: Do you want to take a
17 break?

18 THE WITNESS: Yes. Let's do that.

19 THE VIDEO OPERATOR: We are now going off
20 the record, and the time is 3:32. 15:32:31

21 (Recess, 3:32 p.m. - 3:39 p.m.)

22 THE VIDEO OPERATOR: We're now going back
23 on the record, and the time is 3:39.

24 BY MR. TAKASHIMA:

25 Q Did you ever discuss with anybody whether 15:39:05

1 I, the undersigned, a Certified Shorthand
2 Reporter of the State of California, do hereby
3 certify:

4 That the foregoing proceedings were taken
5 before me at the time and place herein set forth;
6 that any witnesses in the foregoing proceedings,
7 prior to testifying, were administered an oath; that
8 a record of the proceedings was made by me using
9 machine shorthand which was thereafter transcribed
10 under my direction; that the foregoing transcript is
11 a true record of the testimony given.

12 Further, that if the foregoing pertains to
13 the original transcript of a deposition in a Federal
14 Case, before completion of the proceedings, review
15 of the transcript [] was [X] was not requested.

16 I further certify I am neither financially
17 interested in the action nor a relative or employee
18 of any attorney or any party to this action.

19 IN WITNESS WHEREOF, I have this date
20 subscribed my name.

21 Dated: 7/29/2017

22
23 

24 CARLA SOARES

25 CSR No. 5908